

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

CHRIS LACIVITA, an individual, and,
ADVANCING STRATEGIES, LLC,

Plaintiffs,

v.

THE DAILY BEAST COMPANY, LLC
d/b/a/THE DAILY BEAST,

Defendant.

Case No.: 3:25-cv-227

HEARING REQUESTED

**DEFENDANT THE DAILY BEAST COMPANY, LLC'S MOTION TO DISMISS FOR
FAILURE TO STATE A CLAIM**

Defendant The Daily Beast Company, LLC, by and through undersigned counsel, and pursuant to Fed. R. Civ. P. 12(b)(6), respectfully requests that the Court dismiss with prejudice Plaintiffs Chris LaCivita and Advancing Strategies, LLC's Complaint for failure to state a claim. Dkt. 1. The grounds for this Motion are set forth in Defendant's concurrently filed Memorandum of Law, the Declaration of Katherine M. Bolger, and the Exhibits annexed thereto.

Pursuant to Local Civil Rule 7.F.1, Plaintiffs' response brief must be filed within 14 days, and any reply must be served within 6 days after the service of Plaintiffs' response brief.

Dated: July 14, 2025

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of July 2025, a true and correct copy of the foregoing was served via the court's CM/ECF system upon the Clerk of the Court and to all counsel of record.

/s/ John D. McGavin

John D. McGavin